



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

**MAIL**

**MAY 19 2005**

**DIRECTOR OFFICE  
TECHNOLOGY CENTER 2600**

DUANE MORRIS, LLP  
IP DEPARTMENT  
ONE LIBERTY PLACE  
PHILADELPHIA PA 19103-7396

In re Application of: :  
Dennis TONG, et al. :  
Application Serial No.: 10/015,477 :  
Filed: December 13, 2001 :  
For: **OPTO-ELECTRONIC PHASE-LOCKED** :  
**LOOP WITH MICROWAVE MIXING FOR** :  
**CLOCK RECOVERY** :

**DECISION  
ON PETITION**

This is a decision on the petition filed April 13, 2005 accompanying a declaration under 37 C.F.R. 1.131

In accordance with MPEP § 715.04 (D) the assignee or other party in interest, when it is not possible to produce the affidavit or declaration of the inventor, may make declaration under 37 CFR 1.131. Petitioner has shown that the inventor is not available to make the 131 declaration

Accordingly, the petition is **GRANTED**.

The file is being forwarded to the examiner for treatment of the response as well as the 37 CFR 1.131 declaration filed April 13, 2005 as appropriate.

Kenneth A. Wieder  
Special Program Examiner  
Technology Center 2600  
Communications